



Jeffrey A. Meyers
Commissioner

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Director

STATE OF NEW HAMPSHIRE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF LONG TERM SUPPORTS AND SERVICES
BUREAU OF DEVELOPMENTAL SERVICES

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March 1, 2019

TO: Area Agency Executive Directors

FM: Christine L. Santaniello, Division Director

RE: OWQP

I have attached the following:

- Policy for the Only Willing and Qualified Provider;
- Waiver Request Form; and
- Map of NH, designating what areas have been determined rural.

It is important to note that this policy is currently being tested. While New Hampshire has a date of August 31, 2021 for compliance with the Conflict of Interest provision, there is an expectation by the Center for Medicare & Medicaid (CMS) that New Hampshire is moving forward towards compliance and not waiting for the actual August 31, 2021 date. In an effort for the least disruption for those served, the Bureau of Developmental Services (BDS) is recommending that agencies begin to follow this policy for all new people receiving Developmental Disability or Acquired Brain Disorder 1915 (c) Home and Community Based Services, no later than July 1, 2019.

This policy will be incorporated into rule prior to the August 31, 2021 compliance date and until that time, agencies will not be required to adhere to this policy. However, BDS recommends that agencies start to use this policy for the following reasons:

- Less transition and disruption for individuals and families served;
- It will assist agencies with overall compliance; and
- It will provide an opportunity for agencies to test this policy and provide meaningful feedback to BDS that may be considered when rulemaking begins (within CMS guidelines).

If you have any questions, please contact your BDS Liaison. If, as you begin to test this policy, you have feedback, please provide this in writing to your BDS Liaison and Kaarla Weston.

BDS is hoping that testing this policy and receiving meaningful feedback to required changes will assist us to move forward in a transition that does not cause undue hardship for those we all collectively serve.

Thank you.